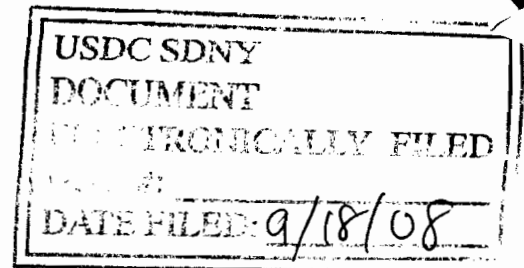


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE SEPTEMBER 11TH LITIGATION

:
:
: **ORDER**

: 21 MC 101 (AKH)

: This Document Relates To:
: 08 Civ. 3719
: 08 Civ. 3722

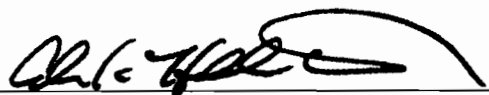
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The parties shall appear for argument on the Aviation Defendants' motion for summary judgment dismissing all claims by Plaintiff World Trade Center Properties for the destruction of WTC 1, 2, 4 and 5 on September 24, 2008 at 2:15 pm. Note that this argument was originally scheduled for October 16, 2008 at 3:00 pm.

In addition to the briefing already submitted by the parties, the Court invites the parties to submit additional briefing on the issue whether subrogation affects C.P.L.R. § 4545 offsets, and its application to the damages claims at issue in this motion. The parties shall submit supplemental briefing on this issue no later than 12:00 pm on September 23, 2008, and should be prepared to address this issue at argument.

SO ORDERED.

Date: September 17, 2008
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge